

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

**MISSISSIPPI STATE CONFERENCE OF THE
NATIONAL ASSOCIATION FOR THE
ADVANCEMENT OF COLORED PEOPLE;
DR. ANDREA WESLEY; DR. JOSEPH
WESLEY; ROBERT EVANS; GARY
FREDERICKS; PAMELA HAMNER;
BARBARA FINN; OTHO BARNES;
SHIRLINDA ROBERTSON; SANDRA SMITH;
DEBORAH HULITT; RODESTA TUMBLIN;
DR. KIA JONES; ANGELA GRAYSON; MARCELEAN
ARRINGTON; VICTORIA ROBERTSON,** **PLAINTIFFS**

VS. **CIVIL ACTION NO. 3:22-cv-734-DPJ-HSO-LHS**

**STATE BOARD OF ELECTION
COMMISSIONERS; TATE REEVES, *in his
official capacity as Governor of Mississippi;*
LYNN FITCH, *in her official capacity as
Attorney General of Mississippi;* MICHAEL
WATSON, *in his official capacity as Secretary
of State of Mississippi,*** **DEFENDANTS**

AND

**MISSISSIPPI REPUBLICAN
EXECUTIVE COMMITTEE** **INTERVENOR-DEFENDANT**

JOINT MOTION TO TAKE DEPOSITIONS OUT OF TIME

COME NOW THE PARTIES, Plaintiffs, Mississippi Conference of the National Association for the Advancement of Colored People (“MS NAACP”), Dr. Andrea Wesley, Dr. Joseph Wesley, Robert Evans, Gary Fredericks, Pamela Hamner, Barbara Finn, Otho Barnes, Shirlinda Robertson, Sandra Smith, Deborah Hulitt, Rodesta Tumblin, Dr. Kia Jones, Marcelean Arrington, and Victoria Robertson (the “Plaintiffs”), Defendants, State Board of Election

Commissioners, Tate Reeves, in his official capacity as Governor of Mississippi, Lynn Fitch, in her official capacity as Attorney General of Mississippi, and Michael Watson, in his official capacity as Secretary of State of Mississippi (the “Defendants”), and the Mississippi State Republican Executive Committee (“Defendant-Intervenor”), and jointly submit this Motion to Take Depositions Out of Time. In support of this motion, the parties would show as follows:

1. Pursuant to the Court’s Order of June 23, 2023, the discovery deadline for this matter is December 11, 2023. (Doc. 44).

2. The parties have worked diligently to complete discovery in this expedited matter, including setting depositions of the parties’ expert witnesses.

3. Due to the holidays, schedules of counsel for the parties and schedules of the parties’ expert witnesses, the parties respectfully request leave to take the following depositions of out of time:

- a. Deposition of Dr. John Alford on December 13, 2023;
- b. Deposition of Dr. Jordan Ragusa on December 15, 202;
- c. Deposition of Madalan Lennep on December 18, 2023;
- d. Deposition of Dr. Byron D’Andra Orey on December 19, 2023;
- e. 30(b)(6) Deposition of Secretary of State of Mississippi on December 20, 2023;
- f. Deposition of Dr. Thomas L. Brunell on January 5, 2024; and
- g. Deposition of Dr. Lisa Handley on January 12, 2024.

4. The parties do not anticipate that this requested extension will impact the trial date set for February 26, 2024.

5. Due to the straightforward nature of the relief sought by this motion, the parties respectfully request that they not be required to submit a separate memorandum in support of this motion as required by Local Uniform Civil Rule 7(b)(4).

WHEREFORE, the parties respectfully request the Court grant them leave to take the above-referenced depositions of out of time in this matter.

THIS the 11th day of December, 2023.

Respectfully submitted,

/s/ Joshua F. Tom

Joshua F. Tom (MSB No. 105392)

ACLU OF MISSISSIPPI

Robert B. McDuff (MSB No. 2532)

MISSISSIPPI CENTER FOR JUSTICE

Carroll Rhodes (MSB No. 5314)

LAW OFFICES OF CARROLL RHODES

Ari J. Sivitzky, pro hac vice

Kelsey Miller, pro hac vice

Ming Cheung, pro hac vice

Patricia Yan, pro hac vice

ACLU FOUNDATION

John P. Lavelle, Jr., pro hac vice

Drew C. Jordan, pro hac vice

MORGAN, LEWIS & BOCKIUS

Ezra D. Rosenberg, pro hac vice

Jennifer Nwachukwu, pro hac vice

David Rollins-Boyd, pro hac vice

**LAWYERS COMMITTEE FOR CIVIL
RIGHTS UNDER LAW**

Counsel for Plaintiffs

This the 11th day of December, 2023.

/s/ P. Ryan Beckett

Rex M. Shannon III (MB #102974)

STATE OF MISSISSIPPI

OFFICE OF THE ATTORNEY GENERAL

CIVIL LITIGATION DIVISION

Tommie S. Cardin (MB #5863)

P. Ryan Beckett (MB #99524)

B. Parker Berry (MB #104251)

BUTLER SNOW LLP

Counsel for Defendants

This the 11th day of December, 2023.

/s/ Michael B. Wallace

Michael B. Wallace (MB #6904)

Charles E. Cowan (MB #104478)

WISE CARTER CHILD & CARAWAY, P.A.

Counsel for Defendant-Intervenor

Mississippi State Republican Executive Committee

CERTIFICATE OF SERVICE

I, P. Ryan Beckett, one of the attorneys for the Defendants, do hereby certify that I have this day filed the above and foregoing document with the Clerk of the Court using the ECF system which sent notification of such filing to all counsel of record.

This the 11th day of December, 2023.

/s/ P. Ryan Beckett

P. Ryan Beckett

84881173.v1